

FILED

UNITED STATES COURT OF APPEALS

MAR 17 2011

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

MARK BAKER,

Plaintiff - Appellant,

v.

CITY OF EDGEWOOD; et al.,

Defendants - Appellees.

No. 11-35113

D.C. No. 3:10-cv-05927-RJB
Western District of Washington,
Tacoma

ORDER

Before: LEAVY, TASHIMA, and BYBEE, Circuit Judges.

A review of the record demonstrates that this court lacks jurisdiction over this appeal because the orders challenged in the appeal are not final or appealable.

See 28 U.S.C. § 1291; *Wilborn v. Escalderon*, 789 F.2d 1328 (9th Cir. 1986)

(denial of appointment of counsel in civil case is not appealable); *see also Branson*

v. City of Los Angeles, 912 F.2d 334, 336 (9th Cir. 1990) (denial of reconsideration

of non-appealable order is itself not appealable). Consequently, this appeal is

dismissed for lack of jurisdiction.